

AMENDED IN SENATE MAY 24, 2010
AMENDED IN SENATE APRIL 14, 2010
AMENDED IN SENATE MARCH 23, 2010

SENATE BILL

No. 1067

Introduced by Senator Oropeza

February 17, 2010

An act to amend Section 12838.3 of the Government Code, and to add Section 1710.5 to the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1067, as amended, Oropeza. Juvenile justice: recidivism.

Existing law provides that the Department of Corrections and Rehabilitation consists of Juvenile Justice, among others. Existing law creates within the Department of Corrections and Rehabilitation under the Chief Deputy Secretary for Juvenile Justice, the Division of Juvenile Facilities, the Division of Juvenile Programs, and the Division of Juvenile Parole Operations.

This bill would make a clarifying change by creating the Division of Juvenile Justice. The bill would also make other nonsubstantive conforming changes.

Existing law states that the purpose of the Division of Juvenile Parole Operations within the Department of Corrections and Rehabilitation is to monitor and supervise the reentry into society of youthful offenders under the jurisdiction of the department, and to promote the successful reintegration of youthful offenders into society, in order to reduce the rate of recidivism, thereby increasing public safety.

This bill would require the Division of Juvenile Justice to track recidivism rates, as specified, of youthful offenders under the jurisdiction of the department. The bill would also require the division to create an annual report that includes recidivism *outcomes and* rate data, ~~deliver the report to the Legislature, and post it that data~~ on the department's Internet Web site ~~once per year, beginning January 1, 2012. The bill would specify that the reporting requirement would be inoperative on January 1, 2016.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12838.3 of the Government Code is
2 amended to read:
3 12838.3. There is hereby created within the Department of
4 Corrections and Rehabilitation the Division of Juvenile Justice
5 which shall be headed by the Chief Deputy Secretary for Juvenile
6 Justice. There is hereby created within the Division of Juvenile
7 Justice the Division of Juvenile Facilities, the Division of Juvenile
8 Programs, and the Division of Juvenile Parole Operations. Each
9 of those three divisions shall be headed by a chief, who shall be
10 appointed by the Governor, at the recommendation of the secretary,
11 subject to Senate confirmation, who shall serve at the pleasure of
12 the Governor.
13 SEC. 2. Section 1710.5 is added to the Welfare and Institutions
14 Code, to read:
15 1710.5. (a) The Division of Juvenile Justice shall track and
16 report data on the recidivism outcomes and rates of youthful
17 offenders under its jurisdiction and control in accordance with the
18 provisions of this section.
19 (b) *The Division of Juvenile Justice shall collect and report*
20 *recidivism outcomes and rates for youthful offenders committed*
21 *to the division and released to, or discharged from, parole in any*
22 *fiscal year for the followup period described in subdivision (c).*
23 *Recidivism is best measured in totality by a range of indicators,*
24 *including the following:*
25 (1) *The number of individuals who are subsequently arrested*
26 *during the followup period.*

1 (2) *The number of individuals who are subsequently adjudicated*
2 *or convicted during the followup period.*

3 (3) *The number of individuals who are subsequently returned*
4 *or recommitted to the Division of Juvenile Justice during the*
5 *followup period.*

6 (4) *The number of individuals who are subsequently returned*
7 *or committed to the Department of Corrections and Rehabilitation,*
8 *Division of Adult Institutions, during the followup period.*

9 (c) *The followup period for tracking the recidivism outcomes*
10 *and rates described in subdivision (b) shall be three years, with*
11 *annual recidivism data to be collected at 12, 24, and 36 months*
12 *following release to, or discharge from, parole.*

13 (d) *The Division of Juvenile Justice shall post the recidivism*
14 *outcomes and rates described in subdivision (b) on the*
15 *department's Internet Web site annually.*

16 ~~(b) The Division of Juvenile Justice shall collect and report~~
17 ~~recidivism outcomes and rates for youthful offenders released on~~
18 ~~parole in any calendar year for the followup period described in~~
19 ~~subdivision (c) for each of the following categories:~~

20 ~~(1) The number of juveniles who have been released on parole~~
21 ~~in each calendar year who are returned to a juvenile facility for a~~
22 ~~parole violation during the followup period.~~

23 ~~(2) The number of juveniles who have been released on parole~~
24 ~~in each calendar year who are returned to a juvenile facility on a~~
25 ~~new commitment for a subsequent offense during the followup~~
26 ~~period.~~

27 ~~(3) The number of juveniles who have been released on parole~~
28 ~~in each calendar year who are rearrested for a new offense,~~
29 ~~identified as a felony or misdemeanor, during the followup period.~~

30 ~~(4) The number of juveniles who have been released on parole~~
31 ~~in each calendar year who are either adjudicated or convicted of~~
32 ~~a new offense, identified as a felony or misdemeanor, during the~~
33 ~~followup period.~~

34 ~~(c) The followup period for tracking the recidivism outcomes~~
35 ~~and rates described in subdivision (b) shall be three years, with~~
36 ~~annual recidivism data to be collected on the performance of each~~
37 ~~parolee at 12, 24, and 36 months following release on parole.~~

38 ~~(d) The Division of Juvenile Justice shall create an annual report~~
39 ~~that includes the recidivism outcomes and rates described in~~
40 ~~subdivision (b). The recidivism rate shall be reported, for each~~

1 annual calendar year release cohort, as the percent of those released
2 who recidivated at 12, 24, and 36 months in each of the categories
3 described in subdivision (b). On January 1, 2012, and each January
4 1 thereafter, the division shall deliver the report to the Legislature
5 and post it on the department's Internet Web site.

6 (e) ~~(1) The requirement for submitting a report imposed under~~
7 ~~subdivision (d) is inoperative on January 1, 2016, pursuant to~~
8 ~~Section 10231.5 of the Government Code.~~

9 ~~(2) A report to be submitted pursuant to subdivision (d) shall~~
10 ~~be submitted in compliance with Section 9795 of the Government~~
11 ~~Code.~~